Remarks

Reexamination and reconsideration of this application is requested. Claims 1-27 remain in the application. No new claims have been added or canceled.

Applicants believe there is no charge for this response because no new claims have been added.

Response to the 35 U.S.C. §102(b) Rejection

The Office Action rejects claims 1-27 under 35 U.S.C. §102(b) as being anticipated by Huang et al., U.S. Patent 5,442,474. Applicants respectfully traverse this rejection in view of the remarks that follow.

As is well-established, in order to successfully assert a *prima facie* case of anticipation, the Examiner must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Examiner has not succeeded in making a prima facie case.

Applicants begin with claim 1. Claim 1 specifically recites:

1. A method of routing a packet of binary digital signals through a network, said method comprising:

receiving at a switch in said network the packet of binary digital signals as encoded binary digital signals including a bit pattern chosen so that when the bit pattern is encoded it directly provides information regarding routing the packet through the network in its encoded form; and

copying said bit pattern, at least for decoding.

It is respectfully asserted that a prima facie showing has not be established because Huang et al. fails to meet either expressly or inherently the limitation that

the encoded binary digital signals include "a bit pattern chosen so that when the bit pattern is encoded it directly provides information regarding the packet through the network."

According to the Office Action, Huang et al. teaches a multiplexer 100 that encodes input data for sending binary signals to a switch 130. "The binary encoded signals includes [sic] a bit pattern (header bits) so that when the bit pattern is encoded it directly provides routing information (see col. 3, lines 47-55)." However, Applicants respectfully submit that the Office Action has mischaracterized the term "header bits" as bits that determine the destination of a packet of data, and consequently, has failed to establish a prima facie showing of anticipation.

Huang et al. specifically teaches that header bits are used only to indicate the beginning of each frame of data. More importantly, the header bits do not represent any encoded information that dictates the destination of the data. In particular, Huang et al. states: "Additionally, multiplexer 100 includes circuitry for providing a header signal indicating the beginning of each frame of multiplexed optical data signal." (column 2, lines 25-27)

Huang et al. go on to explain at column 4, lines 11-59, that Sagnac gates 141 and 142 are used to detect the unique header bit pattern H1 and H2 (shown in FIG. 2). Sagnac gate 141 is used to detect the occurrence of header bit H1 and then enable Sagnac switch 142 to detect the second header bit, H2. Header bits H1 and H2 are used to indicate the beginning of a data stream. Once the correct header bits have been detected, header detector circuit 140 generates a clock signal 143 that is used to synchronize the subsequent flow of optical data. More significantly, header bits H1 and H2 do not contain any information, encoded or

otherwise, that designates where the data is to be routed. Header bits H1 and H2 are merely used to indicate the beginning of a frame of data.

Consequently, the assertion in the Office Action that Huang et al. discloses the use of header bits to provide routing information is incorrect. Accordingly, the Office Action has failed to establish a prima facie showing of how Huang et al. anticipates every element and limitation of Applicants' claim 1. Therefore, Applicants respectfully traverse the rejection. Since claims 2-9 depend from independent claim 1, they are not anticipated by Huang et al. for at least the same reason.

With regard to independent claims 10, 17, 22, and 25, Applicants would like to kindly point out that each independent claim also recites, among other things, "... that when the bit pattern is encoded it directly provides information regarding routing of the packet... ." As pointed out above, the header bits disclosed by Huang et al. do not contain any information regarding the routing of the packet as suggested by the Office Action. Accordingly, the Office Action has failed to establish a prima facie showing of anticipation for claims 10, 17, 22, and 25. Since claims 11-16, 18-21, 23-34, and 26-27 depend from claim 10, 17, 22, and 25, respectively, the are not anticipated for at least the same reason.

Additional arguments to distinguish the cited patent from claims 1-27 could have been made, but it is believed that the foregoing discussion is sufficient to overcome the Examiner's rejection.

Conclusion

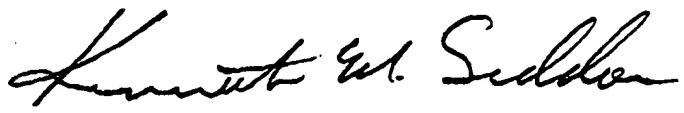
The foregoing is submitted as a full and complete response to the Office Action mailed July 20, 1999, and it is submitted that claims 1-27 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of claims 1-27 is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666.

If the Examiner believes there are any informalities that can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 554-9732 is respectfully solicited.

Respectfully submitted,

David S. Dunning et al.



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